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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,710	07/25/2000	Tetsuro Motoyama	5244-0130-2	2720

22850 7590 11/09/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
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EXAMINER

NGUYEN, QUANG N

ART UNIT PAPER NUMBER

2141

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,710

Applicant(s)

MOTOYAMA ET AL.

Examiner

Quang N. Nguyen

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-11,13,14,16-21,23,24 and 26-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-11,13,14,16-21,23,24 and 26-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detail Action

1. This Office Action is in response to the Amendment filed on 07/16/2004. Claims 31-33 have been added as new claims. Claim 1, 3-4, 6-11, 13-14, 16-21, 23-24 and 26-33 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 3, 6-8, 11, 13, 16-18, 21, 23, 26-28 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (US 5,887,216), in view of Hummel, Jr. et al. (US 6,584,454), herein after referred as Hummel.**

4. As per claims 1, 11, and 21, Motoyama teaches:

a receiver configured to receive the at least one of the device state and the device event of the remotely located device (*receives image density information from the monitored device*) (Motoyama, C10: L9-14);

a digital storage system configured to maintain a history of the at least one of the device state and the device event of the remotely located device, and a service history of the remotely located device (*database contains various information such as service history, malfunctions, and other special conditions and events*) (Motoyama, Figs. 9A – 9C; C10: L4-7 and L49-55); and

an analyzer configured to analyze the service history and the at least one of the device state and the device event of the remotely located device to determine a service request to be performed on the remotely located device (*monitoring device analyzes received information by comparing it with values in the database and determines that it is appropriate to change the parameters of the remotely located device*) (Motoyama, Fig. 8; C10: L14-18).

However, the Motoyama invention does not explicitly teach the service request being sent to a service depot, where the service request is analyzed, and then sent to the remotely located device.

In a related art, Hummel teaches a service depot (*i.e., central service facility 22*) comprising a computer configured to receive service requests from an analyzer (*i.e., management station 70*) over a Wide Area Network “WAN” and analyze the service requests, and to transmit the service request to the remotely located device (*remotely located devices 12, 14 and 16*) over the WAN (*within*

central service facility 22, messages, service requests are received via communication components 82 by processing system 84, wherein the processing system 84 manages the receipt, handling/processing and transmission of service data/requests to and from the service facility via a remote network 80 such as the Internet) (Hummel, Fig. 1 and C5:L64 – C6:L24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Motoyama and Hummel to have the service request being sent to a service depot (*i.e., the remote service facility 22*), where the service request is analyzed, and then sent to the remotely located device because the service depot can then efficiently schedule service engineers to address the service requests and provide off- and on-line service to the remote device in response to the service requests (Hummel, C6: L24-28).

5. As per claims 3, 13, and 23, Motoyama-Hummel teaches the system of claims 1, 11 and 21, wherein the Wide Area Network comprises the Internet (Hummel, C5:L64 – C6: L12).

6. As per claims 6, 16, and 26, Motoyama-Hummel teaches the system of claims 1, 11 and 21, wherein the receiver comprises a configuration receiver configured to obtain information from the device over a Wide Area Network (*i.e., over a remote access network 80*) (Hummel, C5:L64 – C6: L12).

7. As per claims 7-8, 17-18, and 27-28, Motoyama-Hummel teaches the system of claims 1, 11 and 21, wherein the device comprising a business office machine, such as a copier, a printer, a fax, a scanner, or a thin server (*the monitored devices can be a digital copier, facsimile machine, or printer*) (Motoyama, Fig. 1 and C4: L27-31).

8. As per claims 31-33, Motoyama-Hummel teaches the system of claims 1, 11 and 21, wherein the communication component 82 is configured to transmit messages (*here, electronic messages could be given a reasonable interpretation as instant messages or email messages*), service requests, data between the central service facility 22, the management station 70 and the remotely located devices 12, 14, 16 (Hummel, C5:L64 – C6:L24).

9. Claims 4, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama-Hummel, and further in view of Struck et al. (US 5,864,783), herein after referred as Struck.

10. As per claims 4, 14, and 24, Motoyama-Hummel teaches the system of claims 1, 11 and 21, but does not explicitly teach transmitting the service history to the service depot.

In a related art, Struck teaches that service technicians (service depots) should be able to retrieve a complete service history of the device (Struck, C4:L63 – C5:L8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to transmit the service history to the service depot in the modified Motoyama invention, the same way the service technician can retrieve service history in Struck, because having a complete service history of the device saves critical time, facilitates both the diagnosis and repair portions of the procedure, and further minimizes the resources required for servicing the device (Struck, C5: L1-5).

11. Claims 9-10, 19-20, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama-Hummel, and further in view of Othmer et al. (US 6,167,358), herein after referred as Othmer.

12. As per claims 9-10, 19-20, and 29-30, Motoyama-Hummel teaches the system of claims 1, 11 and 21, but does not explicitly teach the remotely located device comprising a mobile unit such as an automobile, a boat, a train or an airplane.

In a related art, Othmer teaches a system for remotely monitoring machines including automobiles (Othmer, C6: L26-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring automobiles, as taught by Othmer, in the modified Motoyama invention because monitoring such machines would allow for the detection of defects and malfunctions (Othmer, C4: L19-34).

13. Applicant's arguments as well as request for reconsideration filed on 07/16/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

14. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

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15. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'LH LUU', is positioned above a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER